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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,772	01/28/2002	Michael Wayne Brown	AUS920010521US1	4176
7590	08/25/2004		EXAMINER	
Marilyn Smith Dawkins International Business Machines Corporation Intl Prop Law Dept., Internal Zip 4054 11400 Burnet Road Austin, TX 78758			ZHOU, TING	
			ART UNIT	PAPER NUMBER
			2173	
DATE MAILED: 08/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/058,772	BROWN ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 January 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 1/28/02, 4/10/02.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-8, 10-17 and 19-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Gelsinger et al. U.S. Patent 5,892,511.

Referring to claims 1, 10 and 19, Gelsinger et al. teach a method, system and program comprising a graphically user interface (column 2, lines 49-50), detecting current activity of a window element within a graphical interface (checks whether a minimized window is being pointed to) (column 9, lines 57-67), and automatically performing at least one of minimizing the window element and maximizing the window element to reflect the current activity, such that a representation of the window element is graphically represented (upon detecting that a minimized window is being pointed to, the interface displays the minimized window in expanded form, or maximizes the window to reflect activation of the window) (column 9, lines 57-67 through column 10, lines 1-19).

Referring to claims 2, 11 and 20, Gelsinger et al. teach automatically adjusting a position of the window element within a z-order of a plurality of windows displayed within the graphical interface (the window selection agent helps the user to cycle through sets of overlapped windows, the set being determined by the z-order of windows; furthermore, as a user selects a

minimized window, the window is automatically expanded and displayed, changing its z-order by making it the currently active window) (column 2, lines 49-67, column 7, lines 8-65 and column 9, lines 57-67 through column 10, lines 1-19).

Referring to claims 3, 12 and 21, Gelsinger et al. teach automatically adjusting a size of the window element (automatically displaying the minimized window in expanded form upon detection of the window being pointed to) (column 9, lines 57-60).

Referring to claims 4, 13 and 22, Gelsinger et al. teach detecting current use of a window element (detecting whether a minimized window is being pointed to) (column 9, lines 65-67).

Referring to claims 5, 14 and 23, Gelsinger et al. teach detecting a transparency of the representation of the window element (detecting whether multiple translucent windows correspond to user selection) (column 10, lines 19-51).

Referring to claims 6, 15 and 24, Gelsinger et al. teach detecting a resource usage associated with the window element (detecting whether a minimized window is using resources such as the processor, by being pointed to) (column 9, lines 57-67).

Referring to claims 7, 16 and 25, Gelsinger et al. teach detecting current activity in association with a plurality of windows elements displayed within the graphical interface (detecting user selection of a minimized window in an interface with a plurality of displayed windows) (column 2, lines 50-67 and column 9, lines 51-53), and adjusting alpha levels associated with each of the plurality of window elements to order the plurality of window elements to reflect the current activity (upon detecting user selection of a minimized window, the alpha levels of the windows are adjusted, or the windows are made translucent; for example, the

pointed to minimized window is expanded and the remaining windows are made translucent) (column 9, lines 22-25 and 61-64).

Referring to claims 8, 17 and 26, Gelsinger et al. teach adjusting alpha levels of a selection of the plurality of window elements that are minimized representations of a plurality of windows (the minimized window, or the minimized representation of the window, are expanded and the alpha levels changed, i.e. made translucent) (column 10, lines 11-19).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelsinger et al. U.S. Patent 5,892,511, as applied to claims 1, 10 and 19 above, and Mugura et al. U.S. Patent 6,111,614.

Referring to claims 9, 18 and 27, Gelsinger et al. teach all of the limitations as applied to claims 1, 10 and 19 above. Specifically, Gelsinger et al. teach performing at least one of minimizing and maximizing each of the plurality of window elements (the interface displays the minimized window in expanded form, or maximizes the window to reflect activation of the window) (Gelsinger et al.: column 9, lines 57-67 through column 10, lines 1-19). However, Gelsinger et al. fail to explicitly teach minimizing or maximizing the window elements in

response to adjusting the alpha levels of each of the plurality of window elements. Mugura et al. teach an interface for displaying transparent components (Mugura et al.: column 2, lines 21-23 and column 17, lines 38-43) similar to that of Gelsinger et al. In addition, Mugura et al. further teach performing at least one of minimizing and maximizing each of the plurality of window elements in response to adjusting the alpha levels of each of the window elements (users can adjust the transparency level of the window components and the components with a low level of transparency are minimized) (Mugura et al.: column 17, lines 38-43 through column 18, lines 1-3). It would have been obvious to one of ordinary skill in the art, having the teachings of Gelsinger et al. and Mugura et al. before him at the time the invention was made, to modify the interface of Gelsinger et al. to include the minimization of components in response to selected levels of transparency, as taught by Mugura et al. One would have been motivated to make such a combination in order to produce a user friendly interface that reduces resource usage from applications that are not active; by minimizing the windows that are not being used, there are more display screen space available for actively used applications.

3. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods of minimizing/maximizing windows in response to user input.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10 August 2004



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER